

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

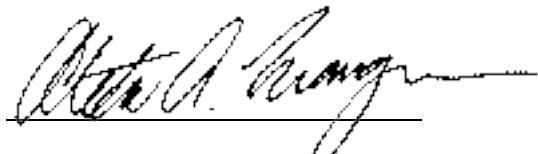
<b>VELMA SUE BATES, CLAUDIA</b>	)	
<b>BIRDYSHAW, WILLARENE FISHER,</b>	)	
<b>MARK LONG, JON TOUNGETT,</b>	)	
<b>CAROLYN WADE, and RICHARD</b>	)	
<b>WHITE,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>Case No. 1:08-0029</b>
	)	<b>Judge Trauger</b>
<b>v.</b>	)	
	)	
<b>DURA AUTOMOTIVE SYSTEMS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

For the reasons expressed in the accompanying Memorandum, defendant Dura Automotive Systems, Inc's ("Dura's") Motion for Clarification by the Court of Two Issues in Its Memorandum Opinion on the Cross Motions for Summary Judgment, or, in the Alternative, Certification of an Interlocutory Appeal (Docket No. 81) is **GRANTED IN PART and DENIED IN PART**; that is, the court **CERTIFIES FOR INTERLOCUTORY APPEAL** the issue of whether the plaintiffs in this case must be "disabled," as that term is defined by the Americans with Disabilities Act (ADA), in order to have standing to pursue their claims under Section 12112(b)(6) of the ADA. This case is hereby **STAYED** pending any appeal and the resolution thereof. All pre-trial deadlines and the trial in this case are **CONTINUED** and will be reset, if appropriate, following the resolution of the interlocutory appeal.

It is so ordered.

Enter this 29<sup>th</sup> day of July 2009.



ALETA A. TRAUGER  
United States District Judge